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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROLAND HEATHINGTON,

Defendant.

CASE NO. 2:20-CR-00008-TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: July 29, 2021
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on July 29, 2021.
2. By this stipulation, defendant now moves to continue the status conference until August 26, 2021, at 9:30 a.m., and to exclude time between July 29, 2021, and August 26, 2021, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes approximately 60 pages of police reports, as well as the defendant's criminal history sheet, body camera videos, and photographs. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to review this discovery, investigate possible defenses or suppression issues, consult with his client, and negotiate a plea with the government. Since the last status conference, counsel has communicated further with his client, who indicated that he would like to seek options to resolve the case. Counsel needs additional time to investigate and collect mitigating evidence that he will present to the United States in furtherance of a plea and potential sentencing in this matter.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 29, 2021 to August 26, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 27, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ ROSS PEARSON
ROSS PEARSON
Assistant United States Attorney

1 Dated: July 27, 2021

/s/ JEROME PRICE

JEROME PRICE

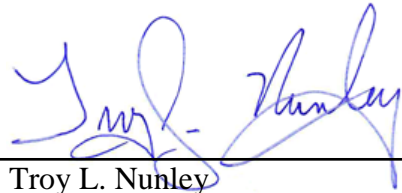
Counsel for Defendant

ROLAND HEATHINGTON

(Authorized by email on July 27,
2021)

5 **FINDINGS AND ORDER**

6 IT IS SO FOUND AND ORDERED this 27th day of July, 2021.

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Troy L. Nunley
United States District Judge